

AMENDED APPLICATION

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADADate of filing in State Engineer's Office NOV 21 2005Returned to applicant for correction DEC 07 2005Corrected application filed JAN 30 2006Map filed DEC 23 2005 under 73502

The applicant **NYE COUNTY** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **UNDERGROUND**
2. The amount of water applied for is **0.5** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **QUASI-MUNICIPAL**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **N/A**
 - (b) Stockwater, state number and kinds of animals to be watered **N/A**
 - (c) Other use (describe fully under No. 12. "Remarks") **N/A**
 - (d) Power:
 - (1) Horsepower developed **N/A**
 - (2) Point of return of water to stream **N/A**
5. The water is to be diverted from its source at the following point **Southeast ¼ of the Southwest ¼, Section 9, T.8N., R.44E., M.D.B.&M., (unsurveyed land), or at a point which bears South 20°05'38"East, a distance of 7419.99' to the Southeast corner of Section 16, T.8N., R.44E., M.D.B.&M., (found U.S.G.L.O. Brass cup 1939 monument)**
6. Place of Use **Section 19 & 20 T.8N., R.44E. Town of Manhattan**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **DRILLED WELL WITH MAIN SUPPLY LINE**
9. Estimated cost of works **\$800,000.00**
10. Estimated time required to construct works **Three (3) to five (5) years. depending on time required to gain access through necessary easements and rights-of-way**
11. Estimated time required to complete the application of water to beneficial use **Three (3) to five (5) years**

73503

12. Remarks: **QUASI-MUNICIPAL WATER SUPPLIES THAT MEET THE ARSENIC STANDARD ARE NEEDED FOR THE COMMUNITY OF MANHATTAN, NEVADA**

By s/ **MARYELLEN C GIAMPAOLI**
MARYELLEN C. GIAMPAOLI, AGENT
P.O. BOX 127
BLUE DIAMOND, NV 89004

Compared dr/gkl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 48520, 73502 and 73503 shall not exceed 5.48 million gallons.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on February 15th of each year.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.50 cubic feet per second, but not to exceed 5.48 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:
September 7, 2007

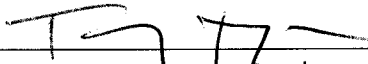
Proof of completion of work shall be filed on or before:
October 7, 2007

Water must be placed to beneficial use on or before:
September 7, 2010

Proof of the application of water to beneficial use shall be filed on or before:
October 7, 2010

Map in support of proof of beneficial use shall be filed on or before:
N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 7th day of September, A.D. 2006



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____